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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,580	01/16/2002	Kojiro Kawasaki	2002_0027A	4940

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EXAMINER	
TEKLE, DANIEL T	

ART UNIT	PAPER NUMBER
2621	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,580	KAWASAKI ET AL.	
	Examiner	Art Unit	
	Daniel Tekle	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 April 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,11 and 12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,11 and 12* is/are rejected.

7)☐ Claim(s) [redacted] is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

TTG 9/29/06

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *04/16/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

Claim 11 is objected to because of the following informalities: The description on **page 4 line 2** the word "steam" should be change to "stream". Appropriate correction is required. For the purpose of prosecution the word "steam" is interpret as "stream".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-10 have been canceled, and claims 1-6 and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al (US 6445877).

Regarding claim 1: Okada et al. discloses an information recording medium storing digital data and management information managing the digital data, wherein the

management information comprises: first time map information provided for a first object that is a digital stream having packet-multiplexed digital data, and in which, for each predetermined unit, of the packet-multiplexed digital data an address of the packet-multiplexed digital data on the information recording medium is related to a playback time of the packet-multiplexed digital data and stored to the information recording medium **(column 21 lines 6-25)**; and second time map information provided for a second object that is a digital stream having packet-multiplexed digital data and for each predetermined unit of the packet-multiplexed digital data of which playback time cannot be identified, an address of the packet-multiplexed of the digital data on the information recording medium is related to an arrival time of the unit and stored to the information recording medium **(column 20 lines 57-66).**

Regarding claim 2: Okada et al. discloses the information recording medium according to claim 1, wherein the first object and the second object are recorded separately on the information recording medium to different object files **(column 20 lines 41-44).**

Regarding claim 3: Okada et al. discloses a recording apparatus for recording a digital stream having packet-multiplexed digital data to a recording medium, the recording medium being capable of storing first time map information in which, for each predetermined unit, of packet-multiplexed digital data an address of the packet-multiplexed digital data on the recording medium is related to a playback time of the packet-multiplexed digital data and stored, and second time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-

multiplexed digital data on the recording medium is related to an arrival time of the unit and stored**(column 24 lines 33-67 and column 35 lines 1-9),** the recording apparatus comprising: an I/F section being operable to receive the digital stream**(column 17 lines 48-52)**; a map creation section being operable to create time map information according to the received digital stream **(column 17 lines 53-67)**; and a recording section being operable to record the received digital stream and the time map information to the recording medium **(column 18 lines 1-7),** wherein, a map creation section analyzes the received digital stream, and based on the analysis of the received digital stream creates the first time map information as the time map information when the playback time can be identified, or creates the second time map information as the time map information when the playback time information cannot be identified **(column 24 lines 20-29).**

Regarding claim 4: Okada et al. discloses a recording method of recording a digital stream having packet-multiplexed digital data to a recording medium, the recording medium being capable of storing first time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to a playback time of the packet-multiplexed digital data and stored, and second time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to an arrival time of the unit and stored **(column 24 lines 33-67 and column 25 lines 1-9)**, the recording method comprising: analyzing the digital stream for recording the digital stream to the recording

medium**(column 24 lines 23-33)**; creating time map information, wherein the time map information is the first time map information when the playback time can be identified, or the second time map information when the playback time cannot be identified, based on analyzing of the digital stream **(column 24 lines 30-64)**; and recording the digital stream and the time map information to the recording medium **(column 24 lines 65-67 and column 25 lines 1-9).**

Regarding claims 5 and 6: Okada et al. discloses a reproducing apparatus and method for reproducing information from a recording medium storing a digital stream having packet-multiplexed digital data, the recording medium being capable of storing first time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to a playback time of the packet-multiplexed digital data and stored, and second time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to an arrival time of the unit and stored **(column 21 lines 52-67 and column 22 lines 1-54)**, the reproducing apparatus comprising: a reproducing section being operable to read and reproduce the digital stream from the recording medium **(column 18 lines 40-42)**; an I/F section being operable to receive information to designate the digital stream to be reproduced and information to designate a start time of playback **(column 18 lines 43-53)**; and a control section being operable to control reproducing section, wherein control section controls reproducing section so as to determine whether time map information of the digital stream is the first

time map information or the second time map information, specify a read address with reference to the time map information by using a time axis according to a type of the time map information, and then start the playback from the specified read address **(column 18 lines 54-67 and column 19 lines 1-8)**.

Regarding claim 11: Okada et al. discloses a computer program embodied on a computer readable medium for use with a computer for recording a digital stream having packet-multiplexed digital data to a recording medium, the recording medium being capable of storing first time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to a playback time of the packet-multiplexed digital data and stored, and second time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to an arrival time of the unit and stored **(column 24 lines 33-67 and column 35 lines 1-9)**, a computer program comprising: I/F section computer readable program code being operable to receive the digital stream **(column 17 lines 48-52)**; map creation section computer readable program code being operable to create time map information according to the received digital stream **(column 17 lines 53-67)**; and recording section computer readable program code being operable to record the received digital stream and the time map information to the recording medium **(column 18 lines 1-7)**, wherein map creation section computer readable program code analyzes the received digital stream, and based on the analysis of the

received digital stream creates the first time map information as the time map information when the playback time can be identified, or creates the second time map information as the time map information when the playback time cannot be identified **(column 24 lines 20-29)**.

Regarding claim 12: Okada et al. discloses a computer program embodied on a computer readable medium for use with a computer for reproducing information from a recording medium storing a digital stream having packet-multiplexed digital data, the recording medium being capable of storing first time map information in which, for each predetermined unit of packet-multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to a playback time of the packet-multiplexed digital data and stored, and second time map information in which, for each predetermined unit of packet multiplexed digital data, an address of the packet-multiplexed digital data on the recording medium is related to an arrival time of the unit and stored **(column 21 lines 52-67 and column 22 lines 1-54)**, the computer program comprising: reproducing section computer readable program code being operable to read and reproduce the digital stream from the recording medium **(column 18 lines 40-42)**; I/F section computer readable program code being operable to receive information to designate the digital stream to be reproduced and information to designate a start time of playback **(column 18 lines 43-53)**; control section computer readable program code being operable to control the reproducing section computer readable program code, wherein control section computer readable program code controls the reproducing section computer readable program code so as to determine

whether time map information of the digital stream is the first time map information or the second time map information, specify a read address with reference to the time map information by using a time axis according to a type of the time map information, and then start the playback from the specified read address **(column 18 lines 54-67 and column 19 lines 1-8)**.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an apparatus for information recording and reproducing medium.

US 5870523

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle
Patent Examiner

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